IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

PAUL CASTONGUAY,   )
)
                Plaintiff,   )   4:13CV3094
)
        v.   )
)
ROBERT HOUSTON,   )   MEMORANDUM AND ORDER
)
                Defendant.   )
_____)

        Petitioner has filed a Petition for Writ of Habeas

Corpus under 28 U.S.C. § 2254 (Filing No. 1), a Motion for Leave

to Proceed in Forma Pauperis (Filing No. 4), and a copy of his

prisoner trust account statement (Filing No. 5).

        Habeas corpus cases attacking the legality of a

person's confinement require the payment of a $5.00 fee. 28

U.S.C. § 1914(a). However, pursuant to 28 U.S.C. §

1915(a)(1)-(2), and after considering petitioner's financial

status as shown in the records of this Court, provisional leave

to proceed in forma pauperis will be granted, but petitioner must

nevertheless pay the $5.00 fee within 60 days. The Court

cautions petitioner that failure to adequately comply with this

order may result in dismissal of his petition without further

notice.

IT IS ORDERED:

1.   The application to proceed in forma pauperis (Filing No. 4) is provisionally granted, but petitioner must pay the $5.00 filing fee by July 29, 2013.

2.   The clerk of the court is directed to set a pro se case management deadline in this case with the following text: July 29, 2013: deadline for payment of $5.00 filing fee.

DATED this 30th day of May, 2013.

BY THE COURT:

/s/ Lyle E. Strom

_____
LYLE E. STROM, Senior Judge
United States District Court

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